[NOT FOR PUBLICATION — NOT TO BE CITED AS PRECEDENT]

United States Court of Appeals
For the First Circuit

No. 00-1791

KIMBERLY L. CANNON-ATKINSON,

Plaintiff, Appellant,

v.

WILLIAM S. COHEN, ETC.,

Defendant, Appellee.

APPEAL FROM THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF PUERTO RICO

[Hon. Juan M. Pérez-Giménez, U.S. District Judge]

Before

Selya, Stahl and Lynch,

Circuit Judges.

Jean D. Larosiliere on brief for appellant.

Guillermo Gil, United States Attorney, Miguel A. Fernández and Fidel A. Sevillano, Assistant Untied States Attorneys, on brief for appellee.

April 10, 2001

Per Curiam. In this appeal, the plaintiff, a disappointed job-seeker, challenges the district court's grant of summary judgment in favor of her prospective employer (the United States Navy). See Cannon-Atkinson v. Cohen, 95 F. Supp. 2d 70, 76 (D.P.R. 2000). We previously have acknowledged that when a trial judge accurately takes the measure of a case, applies the proper legal standards, and articulates a convincing rationale, "an appellate court should refrain from writing at length to no other end than to hear its own words resonate." Lawton v. State Mut. Life Assur. Co., 101 F.3d 218, 220 (1st Cir. 1996); accord Cruz-Ramos v. Puerto Rico Sun Oil Co., 202 F.3d 381, 383 (1st Cir. 2000); Ayala v. Union de Tronquistas, Local 901, 74 F.3d 344, 345 (1st Cir. 1996); Holders Capital Corp. v. California Union Ins. Co. (In re San Juan Dupont Plaza Hotel Fire Litig.), 989 F.2d 36, 38 (1st Cir. 1993). This is such an instance. Consequently, we affirm the judgment below on the basis of the lower court's opinion.

We add only that the issue here is not, as the plaintiff assumes, whether she might in fact have been a better prospect for the employer. Rather, the issue is whether the employer's reasons for selecting another applicant (Marrero) to fill the vacant position were pretextual. See Feliciano de la Cruz v. El Conquistador Resort & Country Club, 218 F.3d 1, 6

(1st Cir. 2000); Smith v. F. W. Morse & Co., 76 F.3d 413, 421 (1st Cir. 1996). We have carefully canvassed the record and, like the district court, Cannon-Atkinson, 95 F. Supp. 2d at 75, we have found no significantly probative evidence sufficient to create a genuine dispute as to pretext.

We need go no further. We reject the plaintiff's appeal for substantially the reasons elucidated in Judge Pérez-Giménez's thoughtful rescript. See id. at 73-76.

Affirmed. See 1st Cir. R. 27(c).